

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

SEATTLE DIVISION

JESSE RODRIGUEZ, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

99<sup>th</sup> FLOOR, LLC d/b/a  
TOPTRADELINES, MARCIO ANDRADE  
and JOHN DOES 1-25,

Defendants.

No. 2:16-cv-00018-RAJ

PLAINTIFF'S MOTION TO EXTEND  
TIME LIMIT FOR SERVICE OF  
SUMMONS AND AMENDED  
COMPLAINT

Clerk's Action Required

NOTE ON MOTION CALANDER:  
July 18, 2016

**I. RELIEF REQUESTED**

1. Plaintiff, by and through his attorneys, seeks leave of the Court pursuant to Fed. R. Civ. P. 4(m) to extend the time of service for an appropriate period in order to attempt service of what is believed to be MARCIO ANDRADE's ("Defendant") residence.

**II. STATEMENT OF FACTS**

2. Plaintiff's First Amended Class Action Complaint ("Amended Complaint") was filed on April 6, 2016 (Document 9).

3. On or about April 12, 2016, the Amended Complaint, along with a request for waiver of service, was mailed to the address listed for the “Registrant Name” of Defendant 99<sup>th</sup> Floor LLC’s website TOPTRADELINES.COM: 228 Park Avenue South, #25825, New York, NY 10003.
4. On or about June 21, 2016, Superior Services JD, Inc. (“SSJDI”) was provided the Summons and Amended Complaint and paid \$95.00 to serve Defendant at 228 Park Avenue South, #25825, New York, NY 10003.
5. Since ordering the service from SSJDI, Plaintiff’s attorney has yet to receive any document at all from SSJDI.
6. Since ordering the service from SSJDI, Plaintiff’s attorney has placed phone calls to SSJDI, having received no answer or response from a voicemail left requesting status of the order for service of process.
7. On or about July 18, 2016, Plaintiff’s counsel located a residential address in Florida, which is believed to a possible residence of Defendant (*see* Exhibit A).
8. On July 18, 2016, Plaintiff’s counsel ordered expedited service of the Summons and Amended Complaint via the website of the Florida Association of Professional Process Servers for the residential property identified in Exhibit A.
9. This motion is supported by the accompanying Declaration of Ryan Pesicka.

Dated: July 18, 2016.

Respectfully submitted,

**CONCORD LAW, P.C.**

By: s/Ryan M. Pesicka

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**TO BE ADMITTED PRO HAC VICE**

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